

## **Introduction**

NADB-Permits is a valuable resource that provides access to information about significant archeological and paleontological projects carried out during the history of U.S. federal archeology. The records in the database are for permits issued by the Department of the Interior under the Antiquities Act of 1906 and the Archaeological Resource Protection Act (ARPA) of 1979. A few records are for permits issued after the granting authority was delegated to individual federal agencies in 1984. The data in NADB-Permits was collected from permit record files presently located in the office of the Department of the Interior Departmental Consulting Archeologist and the Archeology and Ethnography Program, National Park Service (DCA/AAE), the National Anthropological Archives (NAA) of the Smithsonian Institution, and the National Archives and Records Administration (NARA). The database was created by the DCA/AAE. Steps are underway to transfer the files at DCA/AAE to the National Archives so they can be better cared for and made more widely accessible.

Each NADB-Permits record contains five groups of information. The primary information covers the issuing agency, type of project, the Act under which the permit was issued, the land managing agency involved, and the principal investigator. The second group, descriptive information about the archeological activity conducted, includes worktype, site name and identification number, and archeological or cultural affiliation. Locational information in the third group provides geographic location by state(s) and county(s). The fourth group includes information on collections and repositories and identifies the type of investigation (submerged/terrestrial/both and prehistoric/historic/both), possible NAGPRA association, and the institution(s) designated to hold the artifact collections, records, and reports. The fifth group includes documentation information for tracking the permit process includes permit filing history, the institution that holds the permit file, and what curation agreements, contracts, maps, or other documents were found in the permit file.

The DCA/AAE will launch the NADB-Permits database online in 2004. At that time, it may be searched to learn about the history and details of an individual permit. A user also will be able to explore general trends in permitted archeological activities over time, including types of investigations, federal agencies involved, principal investigators involved, activity by state, and key repositories designated over time. For example, a user will be able to learn the history of certain permittees, such as where, when, and for whom they did their work on federal lands. As well, the effects of new legislation on federal archeological activity, such as the enactment of ARPA and the issuance of the Act's governing regulations 43 CFR 7, are evident in NADB-Permits. Notably, the amount of archeological activity increased significantly after the enactment of ARPA in 1979. Finally, given the impact of the Native American Graves Protection and Repatriation Act (NAGPRA) on archeological work, the database may help identify investigations that might have yielded collections subject to the Act.

Information about 3,208 archeological permits are present in the database. It should be noted here that NADB-Permits does not include all permits issued between 1906-84. AAE staff members know that additional permit files exist at NARA and NAA, but were not included in NADB-Permits due to lack of resources to continue the hunt and for data entry. AAE hopes to add additional permit records in the future, including those issued after 1984, as they become accessible. Readers who know of additional permits or repositories holding them are encouraged to contact DCA/AAE with this information.

The following pages summarize key information that will be searchable in NADB-Permits. This includes the legislative history, descriptive information about the permits issued, the permittees, the repositories named in the permit records, and information about the resulting collections.

## Legislative History

Current Federal regulations of the Archaeological Resources Protection Act of 1979 (ARPA) require that the appropriate Federal land manager issues an archeological permit before a survey, excavation, or collection of archeological resources occurs on public land.

The permitting requirement is the result of the enactment of the Antiquities Act of 1906. Its passage followed years of debate, including two failed attempts, to improve the protection of important archeological and ancient architectural remains. Although only four paragraphs long, this Act has had a major impact on protecting archeological sites, some of which have since been incorporated into the National Park system, preserving archeological collections from the sites, requiring public interpretation of archeological resources, developing the profession of archeology, and improving the practice of archeology.



Casa Grande National Monument in Arizona was the first archeological site protected under the American Antiquities Act of 1906.

### The Antiquities Act

- authorized the President of the United States to create National Monuments of cultural, historic, or scientific significance;
- criminalized unauthorized plundering of such monuments, punishable by fines and/or jail sentences;
- required that recovered objects from investigations be placed in recognized museums and interpreted for public benefit; and
- **established a permit requirement for the conduct of archeological activities on federal lands:**  
“...Permits for the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and War to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulations as they may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums.” (Section 3, Antiquities Act)

Early permitting procedures affected federal lands administered primarily by the Departments of Interior, Agriculture, and War. Some of the national monuments were managed by the Department of Agriculture at that time. The War Department was responsible for a myriad of forts and military bases, and, prior to the creation of the National Park Service in 1916, for protecting national parks.

As adopted, the regulations of the Antiquities Act (43 CFR 3) provided that permits could be granted at the discretion of the Secretary who had jurisdiction over the lands, but only after a favorable recommendation was obtained from the Smithsonian Institution. Furthermore, applicants for a permit had to designate an appropriate

museum that would agree to serve as the repository for any recovered artifacts. Applicants were also required to submit a final report upon completion of the permitted project.



Jesse Nusbaum, shown here with Navajo Indians at Mesa Verde, was superintendent at Mesa Verde National Park when he was appointed as the first Departmental Consulting Archeologist in 1927.

A newly created position designated to provide professional archeological review in the Department of the Interior altered the permitting process. Beginning in 1927, all archeological matters affecting a bureau of the Interior were referred to the Departmental Consulting Archeologist (DCA), an archeologist hired by the National Park Service (McManamon and Browning 1999). In 1958, the DCA was given direct authority to issue permits on behalf of the Secretary of the Interior and, in 1968, the DCA also began managing permitting procedures for lands under the jurisdiction of the Department of Defense.

In the ensuing years, the enforcement provisions of the Antiquities Act proved inadequate to protect archeological and other historic sites from the ever-increasing destructive actions by vandals. The \$500 fine, a deterrent in 1906, was insufficient and ineffective as prices for antiquities rose through the twentieth century. In 1974, the 9<sup>th</sup> Circuit Court of appeals overturned the previous conviction of Ben Diaz for stealing a number of recently crafted religious objects from a cave in the San Carlos

Indian Reservation. The Court stated that the phrase ‘object of antiquity, ruins, and monuments’ contained in the Antiquities Act were unconstitutionally vague and could not be applied to the items in this case which were made in 1969 (US v. Diaz, 499 F.2d 113, 9<sup>th</sup> Circuit, 1974). The Antiquities Act was further weakened for prosecution in the 9<sup>th</sup> Circuit and the decision caused government prosecutors in other circuits to be cautious about using the Antiquities Act to go after looters.

To fix the situation, Congress passed the Archaeological Resources Protection Act of 1979 (ARPA). In that year, Congressman Morris Udall noted:



Damage to an archeological site caused by looters at Swift Creek Village, Ocmulgee National Monument.

“If we move now, we can pass this tough, new law and save this important part of our past. To do otherwise would amount to surrender to a pack of vandals of history—and we shall all be the losers.” (Collins and Michel 1985)

In a later discussion about the development of ARPA, Janet Friedman observed that:

“The birth and growth of the Archaeological Resources Protection Act was a chronicle of self-righteous special interests, jealous turf-protectors, and conflicting value systems. For every archeologist devoted to protecting irreplaceable sites, there was a metal-detector manufacturer equally devoted to protecting the rights of hobbyists. For each conservationist dedicated to saving sites for all of the people, there was an enthusiast dedicated to making arrowhead collecting available to the individual.” (Friedman 1985)

Prepared by an interagency rule-making task force composed of representatives of the Secretaries of the Interior, Agriculture, and Defense, and the Chairman of the Board of the Tennessee Valley Authority, the ARPA regulations (43 CFR 7) stiffened criminal and civil penalties and forfeitures for unauthorized archeological activity (Mc Manamon 1991). They also strengthened the requirements for permits to include:

- the nature and extent of proposed work, including how and why it is proposed to be conducted, proposed time of performance, locational maps, and proposed public outlet for the written results;
- names and addresses of individuals responsible for conducting the work, institutional affiliation (if any), and evidence of education, training, and experience in accordance with certain minimum qualifications;
- the name of the scientific or educational facility or repository where collections, data, and other documents derived from the proposed work shall be stored. "Certification" from the repository official must also be submitted showing willingness to assume curatorial responsibility of artifacts.

While the uniform regulations were being written, Antiquities Act permits remained in effect. But by the end of 1984, permits were no longer issued exclusively under the Antiquities Act. Agencies began issuing ARPA permits under the new uniform regulations. All Antiquities Act permits issued by the Department of the Interior were revoked on September 30, 1984.

An order by the Secretary of Interior and later the Department of the Interior Departmental Manual delegated permitting authority to each Federal land-managing agency in the Department.

“Serving as the agent of the Secretary of the Interior for lands and programs under their jurisdiction, the Bureau Heads of the National Park Service, the U. S. Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, and the Bureau of Indian Affairs will...issue, modify, monitor, suspend, revoke or deny permits for archeological work in accordance with AA, ARPA, NAGPRA, 43 CFR 3 and 7, and any Departmental and bureau-specific procedures, regulations, standards and policies on the survey, excavation, and preservation of prehistoric and historic resources, and for the identification, treatment, disposition, and repatriation of Native American human remains and cultural objects...”

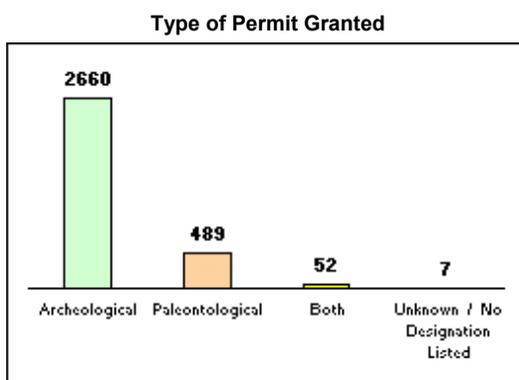
Department of the Interior, Departmental Manual, Part 519: Protection of the Cultural Environment, Chapter 2 Preservation of American Antiquities and Treatment and Disposition of Native American Cultural Items, February 17, 1994.

Permits are now granted by individual agencies, such as the Bureau of Indian Affairs, the Fish and Wildlife Service, and the Bureau of Land Management within the Department of the Interior. The administrative records of these permits are maintained by each agency. The agencies, bureaus, and services of the Departments of Agriculture, Defense, and the Tennessee Valley Authority are also now responsible for issuing permits for archeological work on lands under their jurisdiction.

## Descriptive Analysis

### THE PERMIT RECORDS

Electronic records for 3,208 issued permits have been entered into the NADB-Permits database. They include permits for archeological and paleontological work spanning almost 80 years between 1907 and 1986.



NADB-Permits contains 2,660 permits issued for archeological work and 489 permits issued for paleontological work. Fifty-two permits were issued for both types of work. Seven records do not indicate either type (Figure 1).

Figure 1: Number of Archeological and Paleontological Permits Granted in NADB-Permits.

Unfortunately, the total number of permits issued between 1906-86 is not known and, therefore, an unknown number of permits are not included in NADB-Permits. All of the 2,122 permits housed by offices of the Departmental Consulting Archeologist and the NPS's Archeology and Ethnography Program (DCA/AEE) are in the database. As well, 744 permits were entered into the database from the National Anthropological Archives (NAA) of the Smithsonian Institution. NPS staff also entered information 338 permits held by the National Archives and Records Administration (NARA). The combined holdings from these locations total well over 3,700 individual permit records of which approximately 500 are duplicates. The Smithsonian Institution advised on permit applications until around 1984 and retained copies of their permit application correspondence. These are housed in the NAA. The Department of the Interior and, later, the NPS (DCA/AEE) also retained copies of their permit application correspondence for filing and subsequent archiving. Although some 500 permit files have the same permit number, they usually contain different information at the different locations, such as copies of permits, original correspondence, maps, reports, and other associated materials. In the following discussion, however, the duplicates are not counted.

### LEGISLATIVE AUTHORITIES

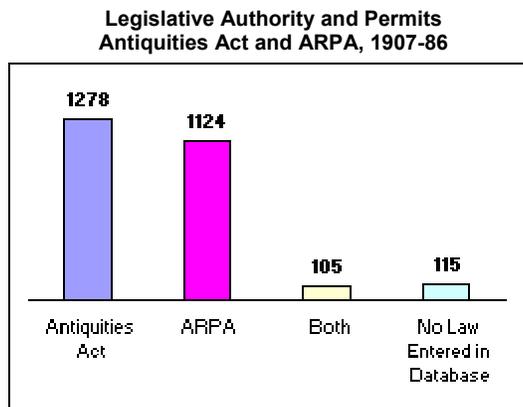


Figure 2: Number of Permits Issued by Law.

Archeological permits were issued under the Antiquities Act between 1906 and 1984. Beginning in 1979, permits began to be issued under the Archeological Resources Protection Act, as well as the Antiquities Act. After 1984, permits were no longer issued exclusively under the Antiquities Act.

In the database, 1,278 of the entered permit records were issued exclusively under the Antiquities Act and 1,124 permits were issued exclusively under ARPA. One hundred five (105) permits were issued under both Acts and 115 records do not list any legislative authority (Figure 2).

### FEDERAL AGENCY INVOLVEMENT

Under both the Antiquities Act and ARPA, all permitted activities require permission from the federal department and/or agency having management authority over the project lands. Twenty-three permit granting agencies are identified in the permit records, including the Water and Power Resources Service (WPRS) and the Department of Defense (DOD), in particular, the U.S. Army Corps of Engineers (COE). Agencies that manage the majority of permitted project lands in NADB-Permits, however, are from the Department of the Interior (DOI), particularly the Bureau of Land Management (BLM), the National Park Service (NPS), the Fish and Wildlife Service (FWS), the Bureau of Reclamation (BOR), and the Bureau of Indian Affairs (BIA).

Archeological Permits Issued 1907-1986					
State or Territory	Total	State or Territory	Total	State or Territory	Total
NM	406	MD	14	MI	4
AZ	375	OK	14	NY	4
CO	301	DC	10	OH	4
UT	272	FL	10	TN	4
CA	268	GA	9	IA	3
NV	183	ND	9	VI	3
WY	159	NE	9	AL	2
AK	157	NC	6	IL	2
MT	119	MN	5	LA	2
ID	100	MO	5	MA	2
OR	86	SC	5	MS	2
KS	44	VA	5	PA	2
WA	29	WI	5	RI	2
TX	22	AR	4	DE	1
SD	18	GU	4	ME	1
KY	15	IN	4	VT	1

Table 1: Number of Permits Issued by State.

and Wyoming. Work in these states generally increased over the years, particularly during the period between 1970-1982 (Figure 3).

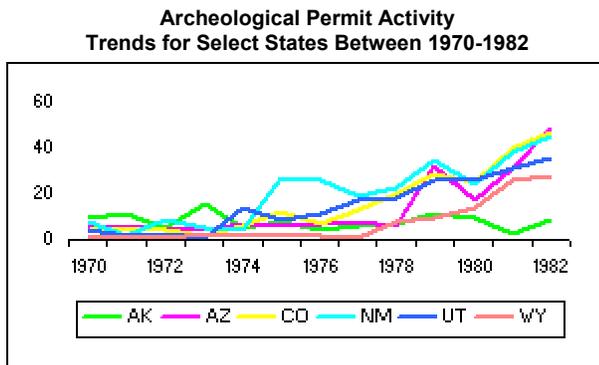


Figure 3: Number of Permits Issued by State, 1970-82.

Many permits in NADB-Permits identify only the Department of the Interior as the permitting land manager without greater specificity. These permits are generally for the period of 1907-1935. Later in date, however, over 2000 permit records in NADB-Permits are for work conducted specifically on BLM lands. This is because the BLM issued a purchase order to the NPS to fund the entry of their approved permits.

#### PERMITS BY STATE AND TERRITORY

Archeological permits have been issued throughout most of the United States (Table 1). The records in NADB-Permits identify only five states with no archeological permit activity: Connecticut, Hawaii, New Hampshire, New Jersey, and West Virginia. Paleontological work has been done in both Hawaii and New Jersey, however. Of the U.S. territories, only Guam and the Virgin Islands had any permitted activities recorded in NADB-Permits. Each U.S. territory has federal property and preservation responsibilities under the various federal archeology and historic preservation laws. The assorted issues of jurisdiction, geographic limitation, and delayed involvement by archeologists in compliance work, however, may help explain the relative lack of permit activity in the U.S. territories.

The majority of archeological permit work documented in NADB-Permits was concentrated in the western states of Colorado, New Mexico, Utah,

No single explanation can be cited for these trends. If accurate, and not a bias of the archival record, the data may reflect several causes. The western focus probably is due to the large federal land holdings in the western states. The overall increases might be explained by: (1) increased development, such as big utility or road projects, that required archeological compliance work, (2) better information gathering for land management purposes, or (3) expanding opportunities for archeological investigations because of greater student participation or increased grant funding.

## FREQUENCY OF PERMITS OVER TIME

The NADB-Permits data show an overall increase in the number of permitted archeological activities throughout the United States. After a lull in activity during the World War II era, the volume of issued archeological permits recorded in NADB-Permits increased through the 1970s, reaching a peak around 1982 (Figure 4).

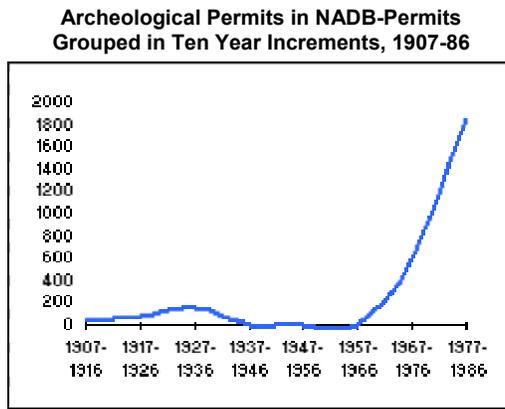


Figure 4: Number of Permits Issued between 1907-86 in 10 Year Increments.

The increase in archeological permits coincides with the strong preservation movement during the 1960s. The passage of the National Historic Preservation Act of 1966 (NHPA) and the enactment of the National Environmental Policy Act of 1969 (NEPA) require agencies to be aware of their compliance responsibilities. Since then, federal agencies not only sponsor archeological activities, but also hire staff archeologists to meet their obligations regarding the preservation and protection of archeological resources.

The number of permits declined slightly after 1982, which probably relates to several factors. The first might be the transition from the permit authority under the Antiquities Act to that of ARPA, and the accompanying transfer of the permitting process to individual federal agencies. A second factor might relate to the regulations governing ARPA permits, which required that federal agencies assume individual responsibility for permitting and compliance. Thus, they were no longer required to issue permits for their own undertakings on their own lands. Third, the National Park Service no longer received information about individual permits of other agencies, except for ARPA violations that are documented in the Secretary's Report to Congress on Federal Archeology. Finally, the decline may merely be a bias in the permits found at NPS, NARA, and NAA and entered into NADB-Permits.

## PERMITS FOR SUBMERGED RESOURCES

Thirty-four permits in NADB-Permits were specifically granted for submerged archeological excavations. The permit applications identified several types of submerged cultural resources for investigation, including ships or inundated village sites located in a variety of environments.

Several of the submerged excavations were located off the shores of the Florida Keys, while other permitted projects focused on rivers, along the banks of river basins, and reservoirs. Most of the permitted projects in NADB-Permits were conducted in Alaska, California, Missouri, Oregon, South Dakota, Texas, and the Virgin Islands.

Many permit applicants did not distinguish between submerged or terrestrial locations on their application forms, however, so the precise nature and scope of much of the work documented in NADB-Permits cannot be determined.

**PALEONTOLOGICAL PERMITS**

<b>Paleontological Permits Issued 1907–1986</b>	
State	Total
WY	106
UT	68
CO	58
MT	56
AZ	55
NM	42
CA	41
SD	30
NV	16
ID	16
TX	15
OR	11
NE	9
AK	5
KS	4
MO	2
NJ	2
HI	1
GA	1
IL	1
AL	1
KY	1

Table 2: Total Number of Paleontological Permits Issued by State.

Based on the 489 records currently in NADB-Permits, paleontological work focused in the western portion of the United States. This was undoubtedly due to specific, regional environmental conditions, which promoted fossil preservation and discovery. Although never numerous, the paleontological permits in NADB-Permits were issued in 22 states since 1907 (Table 2).

Most of the permits were issued for Arizona, Colorado, Montana, Utah, and Wyoming. Some trends can be seen for the period of 1970-1985 (Figure 5). For example, Wyoming had the most paleontological permits in the early years of the decade. Its numbers peaked around 1978 and then drifted down. Most of these states followed the same pattern. After some initial paleontological interest, South Dakota experienced decreased permitted activity over time, whereas work in Utah, New Mexico, and Montana generally increased. Paleontological permits maintained a stable presence in states such as California and Montana.

Paleontological materials are still protected on public lands under the Antiquities Act, and the federal land manager must permit any paleontological activities. At least two national parks, Agate Fossil Beds in Nebraska and Dinosaur National Monument in Utah and Colorado, were authorized primarily because of the presence of paleontological remains. Many more paleontological remains exist on other federal lands.

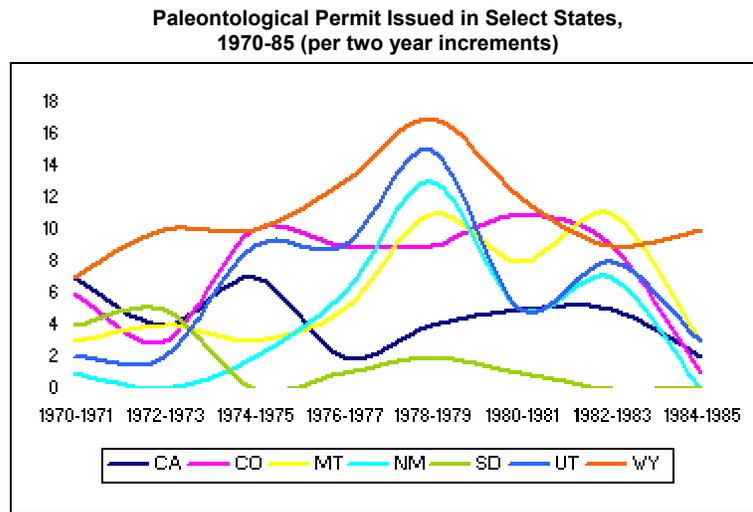


Figure 5: Number of Paleontological Permits Issued for Seven States in Two Year Increments, 1970-85.

## Permittees

The electronic records in NADB-Permits reveal that permits were granted to over 640 different individuals and institutions. The list of permittees consists of a range of organizations, including U.S. educational institutions, foreign universities, cultural resource management (CRM) firms, museums, state highway departments, and historical societies. U.S. schools include state universities from Arizona, New Mexico, Wyoming, Colorado, California and such private universities as Harvard, Yale, and Brown. Secondary schools include the Alamo Navajo Community School (Magdalena, NM) and the Holy Family Diocesan High School (Huntington, NY).

Some foreign universities that conducted investigations include Simon Fraser University of British Columbia, Canada and Hokkaido University in Japan. The very first foreign applicant received a permit in 1908. The permit was granted to Vladimir Jochelson, a representative of the Imperial Geographical Society of Russia and the former Siberian leader for Franz Boas' Jessup North Pacific Expedition in 1898 (Dzeniskevich and Pavlinskia 1988). Jochelson conducted archeological field work and socio-cultural anthropological studies in the Aleutian Islands (Browning 2003).

Permits were granted to many American and international museums, such as the Museum of Northern Arizona in Flagstaff, the Baltimore Maritime Museum, the Carnegie Museum of Natural History in Pittsburgh and the Danish National Museum in Denmark. CRM firms include the Bechtel Group, Inc. (San Francisco, CA), as well as Science Applications, Inc. (Boulder, CO). The Departments of Transportation from the states of Nevada, Colorado, Idaho, Arizona, and California also performed excavations. The Texas Historical Commission (Austin, TX) and the Rhode Island Historical Preservation Commission (Providence, RI) are examples of local historical societies participating in archeological investigations.

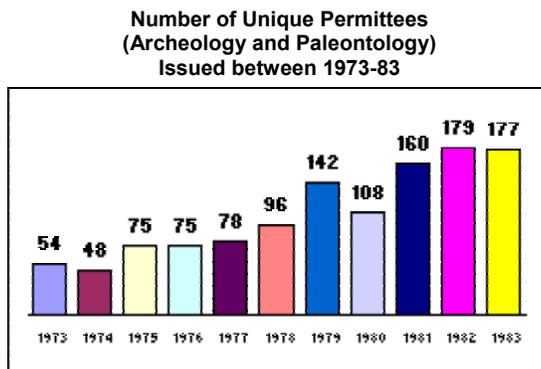


Figure 6: Number of Unique Permittees between 1973-83.

Early permits were generally granted to large, well established universities and museums located on the east coast. They began building archeological collections prior to the Antiquities Act, and continued to collect and display additional artifacts from the American Southwest using the new permitting procedures. Just five major scientific institutions received over 100 permits for investigations in 10 states between 1907-1935: the American Museum of Natural History and the Museum of the American Indian in New York City, the United States National Museum in Washington DC, the Carnegie Institute of Washington, and the Peabody Museum at Harvard University (Browning 2003).

As time passed, the number of different institutions involved and interested in archeology, paleontology, and historical preservation increased. The decade from 1973 to 1983 is a clear example of this trend (Figure 6).

Some organizations conducted numerous permitted activities for specialized research or as contracted projects during this period, which is evident by examining the entire range of permits issued and entered in NADB-Permits. The top twelve institutions that received archeology permits are found in Table 3. The top ten institutions that were issued paleontology permits are listed in Table 4.

Archeological Permittees from 1979–1986	Total Number of Permits
Museum of New Mexico—Santa Fe, NM	53
Western Cultural Resources Management, Inc.—Boulder, CO	38
Museum of Northern Arizona—Flagstaff, AZ	37
Centuries Archaeological Research, Inc.—Montrose, CO	35
Powers Elevation Company—Denver, CO	34
Eastern New Mexico University—Portales, NM	30
New Mexico State University—Las Cruces, NM	28
American Museum of Natural History—New York, NY	27
Peabody Museum, Harvard University—Cambridge, MA	24
Arizona State Museum—Tucson, AZ	22
Northern Arizona University—Flagstaff, AZ	22
University of Utah—Salt Lake City, UT	22

Table 4: Institutions that Received the Most Paleontological Permits After 1979.

The number of CRM firm permittees increased dramatically after the enactment of ARPA in 1979. This trend can be seen in Table 3 of the most frequent archeological permittees. Note there are three cultural resource management firms in the top twelve: Western Cultural Resources Management, Inc., Centuries Archaeological Research, Inc., and Powers Elevation Company. The current data in NADB-Permits also reveal that these three CRM firms did not receive a permit before 1978. Since each firm performed only three, three and four projects in 1978 respectively, it is obvious that the majority of their work was performed after 1979.

Paleontological Permittees Since 1979	Total Number of Permits
University Of California-Berkeley—Berkeley, CA	39
Museum of Northern Arizona—Flagstaff, AZ	24
Brigham-Young University—Provo, UT	17
Carnegie Museum of Natural History—Pittsburgh, PA	17
Los Angeles County Museum of Natural History—Los Angeles, CA	13
South Dakota School of Mines—Rapid City, SC	10
Idaho State University—Pocatello, ID	9
University of Wyoming—Laramie, Wyoming	9
University of California-Riverside—Riverside, CA	8
American Museum of Natural History—New York, NY	8

Table 3: The Institutions that Received The Most Archeological Permits in 1979-86.

There is no similar increase in the number of private resource management companies involved in paleontological research. Permits for paleontological work continued to be issued primarily to academic institutions and museums (Table 4).

Based on the previous data, one might also expect that only a few institutions specialized in submerged investigations. According to the NADB-Permits data, this was not the case. There are some 30 different permittees that performed the 34 known submerged projects; only four permittees received more than one permit. The Department of Agriculture issued the first permit for a submerged excavation in 1964 to the Wyoming Archeological Society.

Another way to understand the specialization, aims, and motives of permittees is through their research design. A research design contains the goals of an institution’s archeological or paleontological work, the specific hypothesis the investigators intend to pursue under the designated permit, the significance of the hypothesis, the methods and equipment to be employed, and the critical data necessary to reach a conclusion.

In NADB-Permits, 186 different permittees submitted a research design along with their permit application for work under 267 permits. The earliest research design was submitted in 1917 for a paleontological work permit. This was the only research design received until 1969. From 1969 through 1972, only nine of 303 permits granted contained research designs.

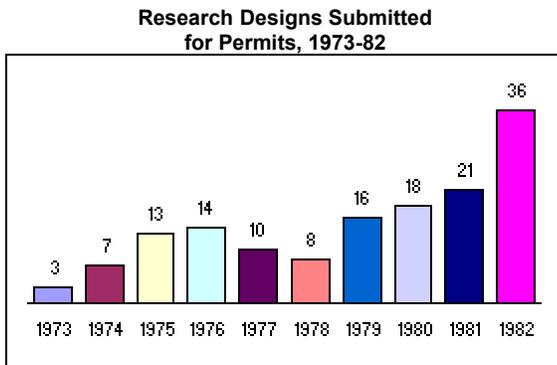


Figure 7: Number of Research Designs Submitted Between 1973-82.

The number of research designs submitted per year, however, generally increased from 1973 to 1982 (Figure 7) for several reasons. First, both the number of permit requestors and the number of permits granted increased. Second, professional archeologists and paleontologists had begun to write research designs in order to give explicit direction to a project in the field and during analysis. Finally, ARPA required it.

Permittees also submitted other types of supporting documents about their projects, which are found in the permit file. These include vitae or resumes (1,241 permits), maps (1,013 permits), and such correspondence as letters or short memos (3,032 permits). Although the application form and the issued permit both specify that a report must be submitted

to the permit-granting agency after completion of the project, only a few reports have actually made it to the permit files. These may be preliminary, consisting of a page or two, or may be the completed and issued project report. The permit records in NADB-Permits reveal that only 331 permit files contain final reports, which give explicit details of the actual procedures, problems, and results of the permitted investigation.

Individuals interested in learning more about archeological reports resulting from projects conducted on federal, state, tribal, local, and private lands may access NADB-Reports. This is a bibliographic inventory of reports, mostly “gray literature” of limited circulation. The database is searchable by title, author, state, and keywords, among other fields.

### Repositories and Collections

Both the Antiquities Act and ARPA require a permit applicant to provide certification that an authorized repository will curate the collections resulting from the project. Repositories may include state, university or private museums, state historical societies, university departments, research laboratories, libraries, or offices of state archeologists.

The states with the most repositories identified in NADB-Permits are New Mexico (308), Arizona (207), California (193), and Colorado (191), all of which are where the majority of permits were granted. No permit record lists any repositories in New Hampshire, Mississippi, Vermont, or West Virginia.

The data also provides information about the specific repositories designated most often (Table 5). The top three are the University of Wyoming (Laramie, WY), University of Colorado (Boulder, CO), and the Museum of New Mexico, (Santa Fe, NM). Not surprisingly, the staff at each repository has conducted a large number of permitted projects.

Designated Repository	# Times Designated
University of Wyoming—Laramie, WY	156
University of Colorado Museum—Boulder, CO	148
Museum of New Mexico—Santa Fe, NM	135
Nevada State Museum—Carson City, NV	93
University of California—Berkeley—Berkeley, CA	89
University of Utah—Salt Lake City, UT	87
Brigham-Young University—Provo, UT	86
Mesa College, Grand Junction, CO	81
University of Oregon—Eugene, OR	77
University of New Mexico—Albuquerque, NM	69
University of Alaska—Fairbanks, AK	67
Southern Utah State College—Cedar City, UT	66
Smithsonian Institute—Washington DC	64
University of Denver—Denver, CO	60
Museum of Northern Arizona—Flagstaff, AZ	56
Western Wyoming College—Rock Springs, WY	49
Ft. Lewis College—Durango, CO	48
New Mexico State University—Las Cruces, NM	48
Navajo Tribal Museum—Window Rock, AZ	44
Eastern New Mexico University—Portales, NM	44

Table 5: Top 20 Repositories Designated in the Permits Issued.

The types of permits granted, project locations, and those who executed the investigations have been discussed in previous sections. But what were the results of these permitted projects? What did the permittees discover, unearth, and collect?

Of the permits currently entered in NADB-Permits, only 179 (7%) contain information on the types of archeological materials recovered. The most common materials were lithic artifacts and ceramics (Figure 8). Interestingly, the third and fourth most common materials found were human remains and bone/ivory. The vast majority of these latter material types, however, were listed in the permit files issued between 1908 and 1935.

Over 70 permit files in NADB-Permits are designated as potentially subject to the Native American Graves Repatriation Act (NAGPRA). Sixty-six contain documentation that human remains were recovered. NAGPRA requires the return of Native American remains and funerary objects to the culturally affiliated tribe, if determined. The human remains deemed potentially subject to NAGPRA in the permit files were recovered in a range of geographic locations, such as Mammoth Cave National Park in Kentucky and Imperial County,

**Archeological Materials Recovered  
Reported in 179 NADB-Permits Records**

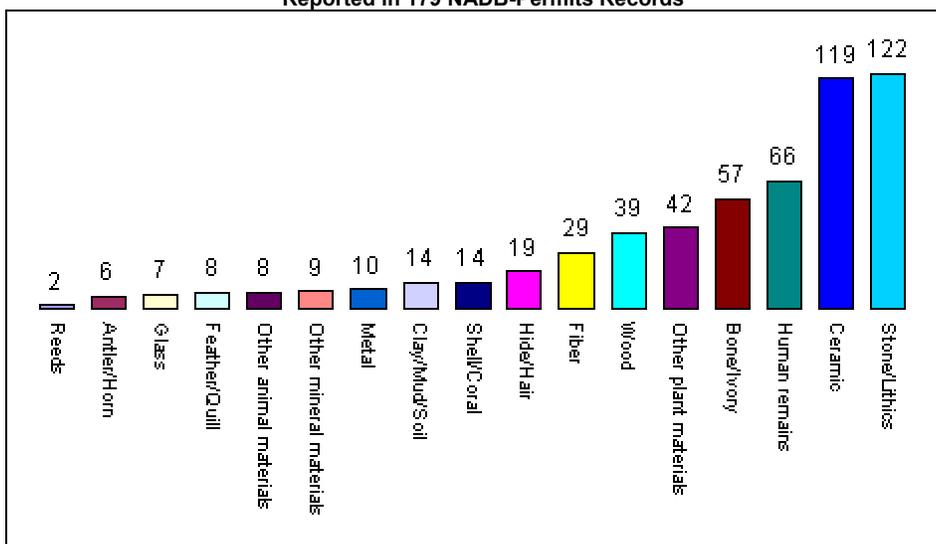


Figure 8: Types of Archeological Materials Recovered as Reported in 179 Permits.

California. Interestingly, two of the potential NAGPRA sites were submerged, which possibly contributed to the preservation of the recovered materials.

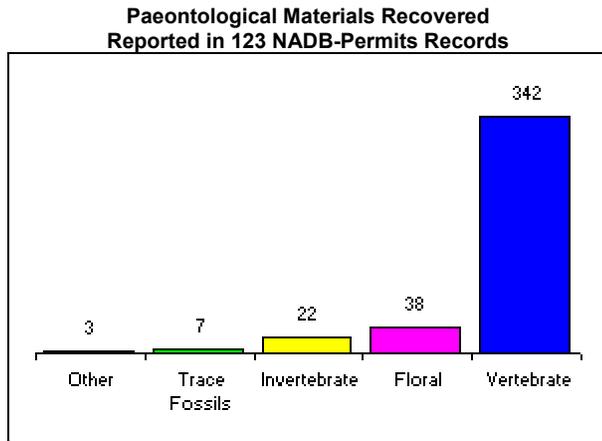


Figure 9: Types of Paleontological Materials Recovered as Reported in 123 Permits.

Just over 120 (24%) paleontological permit records contain information about the types of materials recovered, such as invertebrates, vertebrates, flora, and trace fossil materials. Vertebrate fossils were the most common fossil type found (Figure 9). They were most frequently recovered in Wyoming, perhaps because investigators working in this state applied for and received the largest number of paleontological permits. As well, it is not surprising that those who documented the paleontological materials they recovered were from institutions with curatorial responsibilities, such as the University of California-Berkeley, University of Colorado Museum, University of Wyoming, and the Carnegie Museum of Natural History.

### Final Comments

The data found in NADB-Permits provide an interesting insight to the U.S. federal archeology program from its inception. This summary of the permit records in NADB-Permits highlights some obvious trends in federal archeology, but much more could be gleaned from the data.

The information contained in the database also may assist interested individuals who want to perform excavations, surveys, or other studies in the vicinity of previously permitted projects. It is possible to find out about previous work done in an area, who conducted the work, and where the collections and associated records may be stored for study. Some notable principal investigators who conducted permitted work on federal lands include A.V. Kidder, J. Walter Fewkes, Nels C. Nelson, Louis Leakey, and David Hurst Thomas.

For those researchers and other interested parties who need access to the permit files, the Archeology and Ethnography program (AAE), National Park Service, currently retains possession of the majority of the permits in NADB-Permits. These files span between 1969-1986 and are organized by issued permit number. It is intended that the National Archives and Records Administration (NARA) will be the ultimate and permanent repository for these permit files. The National Anthropological Archives (NAA) of the Smithsonian Institution, on the other hand, possesses both permit files recorded in the database and a large number of files not yet entered. The NAA collection spans between 1907-86 and is organized by permittee. Many of these files are not duplicated in the AAE holdings. Finally, NARA currently has a small holding of permit files, organized by the issued permit number. They span between 1907-1939, and are included in NADB-Permits. It is not known at this time if the NARA holds additional archeological and/or paleontological permit files.

Information on how to contact the appropriate organization to access archeological and paleontological permit files is available at:

US National Archives and Records Administration; US National Anthropological Archives, Smithsonian Institution; and, Archeology and Ethnography Program, National Park Service.

## References

Browning, Kathleen D.

2003 Implementing the Antiquities Act: A Survey of Archeological Permits 1906–1935. *Studies in Archeology and Ethnography*, #2. Washington, DC: National Park Service.

Collins, Robert B. and Mark P. Michel

1985 Preserving the Past: Origins of the Archaeological Resources Protection Act of 1979. *American Archeology* 5(2):84–89.

Dzeniskevich, G. I. and L. P. Pavlinskzia

1988 Treasures by the Neva: The Russian Collections. In *In Crossroads of Continents: Cultures in Siberia and Alaska*, edited by William W. Fitzhugh and Aaron Crowell, pp. 83–88.

Friedman, Janet L.

1985 The Regulations: The Early Years. *American Archeology* 5(2):94–100.

Lee, Ronald F.

1970 *The Story of the Antiquities Act of 1906*. Washington DC: Office of History and Historic Architecture, Eastern Service Center.

McManamon, Francis P.

1991 The Federal Governments. In *Protecting the Past*, edited by George S. Smith and John E. Ehrenhard, pp. 261-270, Boca Raton: CRC Press.

McManamon, Francis P. and Kathleen D. Browning

1999 Department of the Interior's Archeology Program. *CRM* 22(4):19–22.

## INTERNET LINKS

Cultural Resources Laws and Regulations, National Park Service

National Archeological Database-Reports module, National Park Service

Archeology and Ethnography Program, National Park Service

US National Archives and Records Administration

US National Anthropological Archives, Smithsonian Institution

Departmental Manual Part 519: Protection of the Cultural Environment, Chapter 2 Preservation of American Antiquities and Treatment and Disposition of Native American Cultural Items, U.S. Department of the Interior

## **Credits**

### **CONTENT DEVELOPMENT**

Rachel Berry, S. Terry Childs, Jennifer Hembree

### **IMAGING, LAYOUT, AND PROGRAMMING**

Everett Lindsay

### **SITE MANAGEMENT**

S. Terry Childs

### **SPECIAL THANKS**

The important information that exists in the NADB-Permits database is largely due to the organizational and data entry skills of Sharon “Sam” McCarthy. Kathleen Browning, Jennifer Hembree, Laurel Maury, and Florence Wanko also significantly contributed to the database by doing data entry. Larry Karr designed and maintained the NADB-Permits application.

### **ADDITIONAL THANKS**

This site is produced and maintained in cooperation with the National Conference of State Historic Preservation Officers (NCSHPO).